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*Catherine A. Johnson*  
Catherine A. Johnson



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Application No.  
Filed:  
For:

Joseph C. Kawan  
09/238,995  
January 28, 1999  
**A METHOD AND SYSTEM FOR  
CONTACTLESS INTERFACING FOR  
SMART CARD BANKING**

Examiner:  
Group Art Unit:

Felten, Daniel S..  
3624

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**REPLY TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

Sir:

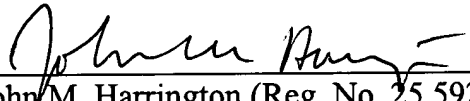
This Reply is filed in response to the Notification of Non-Compliant Appeal Brief mailed July 12, 2005, setting a one month period for response.

In follow-up of the telephone conference of July 21, 2005 between the undersigned attorney for Applicant and Examiner Felten, as pointed out to the Examiner, the Notification of Non-Compliant Appeal Brief recites that the Appeal Brief filed by Applicant on October 14, 2003 fails to comply with one or more provisions of 37 CFR 41.37, namely 37 CFR 41.37(c) (1)(v), 37 CFR 41.37(c) (1)(ix), and 37 CFR 41.37(c) (1)(x). As also pointed out to the Examiner, the Appeal Brief was filed under 37 CFR 1.192, which was in effect on October 14, 2003, and 37 CFR 41.37 did not become effective until September 13, 2004 and did not apply to appeal briefs, such as Applicant's Appeal Brief, filed before September 13, 2004.

In view of the foregoing, it is believed that the Notification of Non-Compliant Appeal Brief was issued in error and should be withdrawn and the same is earnestly solicited. The Examiner is respectfully invited to telephone the undersigned at (336) 607-7318 to discuss any questions relating to the application.

Respectfully submitted,

Date: 7/22/05

  
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